

EXHIBIT B

From: Liu, Angela
Sent: Thursday, August 3, 2023 9:24 PM
To: Hayes, Michael; Chris Carmichael; Victor P. Henderson
Cc: de Gramont, Alexandre
Subject: Abubakar v. Chicago State University, 1:23-cv-05099

Dear Counsel,

We were surprised to receive Mr. Tinubu's motion to intervene, given that we previously advised you and stated in our petition that we would stipulate to your intervention. We plan to file a short response tomorrow, advising that we have already agreed to Mr. Tinubu's intervention and that we agree that Mr. Tinubu may file a response to the application on or before August 11. We would then propose to the Court that Petitioner will file its reply on or before August 16. Please let us know if that date is acceptable to you.

We continue to be puzzled by Mr. Tinubu's vigorous opposition to our asking CSU about documents that are already in the public domain and/or have already been submitted in the Nigerian proceedings, so that we can learn CSU's position on whether, how, and when they were provided to other Nigerian litigants, and CSU's position on the authenticity of the documents. If there is an explanation for the discrepancies we have identified, we would think that Mr. Tinubu would be eager to provide it. If you would like to provide an explanation to us, we are happy to consider it. That might preclude the need for, or at least expedite, the deposition. In candor, the vehemence of Mr. Tinubu's opposition to this discovery is increasing rather than mitigating our suspicions.

In any event, as I'm sure you know, Local Rule 37.2 requires that the parties undertake good faith efforts to resolve discovery motions. As you will see below (under my signature line), Judge Gilbert emphasizes the importance of the parties' good faith compliance with that rule. Accordingly, we would like to have a meet-and-confer with you and counsel for CSU, to continue the discussions we began in advance of submitting the Application. We would be grateful if you and counsel for CSU would let us know your availability on Monday or Tuesday (August 7 or 8) for a joint call. In addition to discussing Mr. Tinubu's concerns, we would like to know if CSU has any objections or concerns about any of the document requests or deposition topics that we should discuss.

Also, given the briefing schedule, it is possible that we will need to push back the dates in our discovery requests for the production of documents and the deposition, depending on how and when the Court rules. Accordingly, we would ask counsel for CSU to provide alternative dates during the week of August 28 and September 4 for the deposition. (We assume it will be relatively easy for CSU to produce whatever documents it has already produced to other Nigerian litigants, should the Court so order.) During our meet-and-confer, we can then try to agree on alternative dates that are convenient for counsel as well as for the deponent.

Sincerely,

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Discovery Motions

The Court believes that parties can and should work out most of their discovery disputes. The Court will not hear or consider any discovery motions unless the parties have met and conferred in person or by telephone. **Any discovery motion must state with specificity when and how the movant complied with the meet and confer requirement under Local Rule 37.2.**

Parties are reminded that compliance with Local Rule 37.2 requires the parties to attempt to resolve discovery disputes and, other than in exceptional circumstances, the attempt must take place face to face or by telephone. The Court expects a face-to-face meeting, and the mere exchange of correspondence normally does not comply with Local Rule 37.2. The Court considers failure to set and follow the meet and confer process to be grounds for denial of the motion.

All parties must be fully prepared to argue any discovery motion at the time of presentment. The Court often will decide discovery motions after the parties have submitted briefings. If the Court wants briefing on the motion, it normally will set a briefing date. That the matter can be resolved promptly. If an opposing party vouches for the accuracy of its response to a discovery motion, counsel should communicate that to the Court. If Judge Gilbert thinks a response is necessary, the parties must be present at the hearing. If a party is stricken and another hearing date will be set as appropriate or if the parties submit papers via the CM/ECF system.

Magistrate Judge Gilbert has had some success with an alternative dispute resolution process. The parties file a joint motion to seek